

January 24: Talk to the Consul London -- View Transcript

01-17-2008 09:17:45

U.S. Embassy London: Welcome to our webchat! You may begin submitting your questions now or you may wait until the live discussion on January, 24 2008 at 15:00.

01-24-2008 10:03:58

M. Andre Goodfriend: Good afternoon and welcome to our sixth "Ask the Consul" web chat, devoted to the issues facing American citizens living in the UK.

A lot has happened since our last web chat in September 2007. We are in the midst of the US "primary season" when the US political parties are selecting their candidates for the upcoming presidential election. US passport regulations are changing. US processes for international adoption are changing. There have been changes in the UK student visa process, and proposals for additional UK visa changes, as well as a proposed change in UK tax regulations that may impact Americans residing in the UK. We've discussed many of these issues in our monthly newsletters (available online at http://london.usembassy.gov/cons_new/acs_newsletters/index.html). We also receive inquiries daily via email, but we value fora like this web chat where others can also see what is on the mind of their fellow citizens and where our answer to one questioner can also respond to something that may be on the mind of many others.

With that, let's move to the questions.

01-24-2008 10:07:47

Roseann: I am a U.S. citizen, and two years ago I married a British citizen. When travelling to the United States what is proper procedure in regards to the lines at passport control? Being a U.S. citizen I go to the U.S. citizen line, however my husband having an EU passport goes to the non-citizen line. Is this correct, as a number of times my husband has been reprimanded, stating I should be in the same line. Is this true?

M. Andre Goodfriend: Roseann,

Thank you for your question. Actually, that's a situation that quite a few of us face. In fact, procedures may vary from airport to airport. The Department of Homeland Security (DHS) has responsibility for entry/exit procedures at U.S. ports of entry. Your best bet is to ask an official as soon as you enter the Arrivals area. Some airports may allow you to go together through the U.S. citizen line, but others may not.

01-24-2008 10:13:18

mre12: Hello. 9 years ago my passport was stolen while holidaying in Asia and the US embassy there issued me with a limited validity 1-yr passport. That passport was subsequently extended by the US consul in Sydney (where I lived at the time). I now live in London. I go back home to the US frequently for vacations and recently (since about 2 years ago), each time the US customs officer at the airport sends me to the passport/customs office to get my passport checked. The time I have spent in the airport's passport office has ranged from 30 seconds (where the I was told "it wasn't necessary for you to be sent to this office") to 30 minutes. Will it help if I got a new passport or will I still be subject to these delays regardless? (ie is it my passport that raises the 'red flag' or is it me?). Many thanks.

M. Andre Goodfriend: A nine-year-old passport that was extended from limited validity to full validity will probably cause some to want to take a closer look. A couple years ago, the Department of State stopped extending or amending passports for any reason because of the vulnerabilities caused by being able to change the data originally put on a passport. Now, if any of the data on a passport needs to be changed, we issue a new passport. If your one-year, subsequently-extended passport was issued about nine years ago, chances are you are nearly in need of a new passport anyway, as they are only valid for a maximum of 10 years.

We would suggest that you replace your passport at your earliest convenience. You can find all information about how to replace your passport, including how to book an appointment via our online appointment system, on our website:

http://london.usembassy.gov/cons_new/acs/index.html

01-24-2008 10:22:10

Chat Participant: I need some advice on what my rights are as an American Citizen. I married a wonderful guy 7 years ago and we have 2 beautiful girls, and because in his past lifetime (15yrs) he committed a silly offence the American Embassy insist on making our lives so hard each time I want to see my family. Is there nothing I can do? Is there only a 12 month visa that exists? My grandfather is terminally ill and I would like to spend some time at his bed side in March, but the Embassy have turned my husbands visa down as the process has changed from last time and now they are asking for a new form – this form may not even be back in time. As you can tell I am freaking out. The thought of my husband not being able to come over to the States with me is making me physically ill. We own our own house have great well paid jobs, why would we be a threat? Please let me know if anyone knows of anything I can do. Thanks

M. Andre Goodfriend: I understand how difficult and frustrating this may seem. However, spouses of American citizens applying for non-immigrant visas (NIVs) do fall under the same legal requirements as any other NIV applicant. The law does not create special exceptions to these NIV laws for relatives of Americans.

Where U.S. law does give American citizens additional rights in the visa process is when the spouse wants to immigrate. An American citizen has the right to file a petition for a spouse to immigrate to the U.S. without any mandatory waiting period. Also, being the spouse of an American citizen makes it possible for an immigrating foreign national, who might normally be ineligible for a U.S. visa, to apply for a waiver of the ineligibility. (whereas a foreign national who is not the immediate relative of a U.S. citizen or lawful permanent resident might not be able to apply for a waiver.

However, for visitor visas, much more emphasis is placed on the applicant him/herself. There is generally very little role for the U.S. citizen to play.

Under U.S. law, convictions are never “spent” for purposes of visa application. We are required to factor in all past offenses. Although someone might be ineligible for a visa based on something done well in the past, the law allows for the possibility of a waiver of the ineligibility. When evaluating whether someone could receive a waiver, consular officers review the nature of the criminal or immigration offense, how long ago it occurred, whether the visa applicant has demonstrated a pattern of good behavior for a reasonably long recent period, the purpose of travel, and whether there is any extenuating, humanitarian element to the case. Depending on the nature of the person’s offense, our regulations may impose on an applicant a requirement to obtain a medical exam as well. The system therefore allows a person who made a mistake several years ago and has clearly reformed his behavior to be able to travel to the United States.

The process of getting a waiver approved frequently takes several weeks, and ultimately requires approval from the Department of Homeland Security. Waivers are not visas, and by their nature, are given more conservatively, in recognition of the ineligibility. Normally the Department of Homeland Security and we start out with short-term waivers, frequently for only one trip. It is possible for someone who has received several short-term waivers over the years eventually to be granted a longer-term waiver, but this is never a guarantee, and is almost never for more than three years.

01-24-2008 10:27:00

U.S. Embassy London: I have read extensively about the pending changes in taxation of non-domiciled by the UK and have discussed the matter with my personal accountant and other

parties. I would like to share the following comments with the representatives of the US government. The US government may end up as the biggest loser if the UK non-domicile rules change. Since US citizens are taxed on worldwide income, changes in tax rules that increase their non-US taxes (in this case, their UK tax) will have the effect of reducing their US taxes. The reduction of US taxes comes from a) the double tax treaty that ensures that income is not taxed in both the US and UK, and b) foreign tax credit which reduces US taxes by the amount of foreign taxes. I dislike the proposed UK tax rules, largely because they add another layer of complexity and burden to my already complex tax situation. But there are ways to minimize the burden by shifting my investments to assets that generate capital gains away from dividend paying stocks and definitely away from US municipal bonds where the preferential tax treatment afforded in the USA but not by the UK, will allow the UK to reap a nice tax windfall on those kind of assets. When I factor in changes in my portfolio and the benefits of the US foreign tax credit, I conclude that I will not pay much more in total taxes but will end up paying much less to the US and much more to the UK. The real loser therefore is likely to be the US Treasury. For all the talk of "fairness" and the like, my analysis says this is just a money grab by the UK Treasury at the expense of the US (and some other countries). I can lodge a protest with the UK over the proposed rules, but it might be more appropriate that the complaint be given by the Ambassador or President because the real loser here is probably the US Treasury. I encourage you to do your own analysis. Regards, Patrick

M. Andre Goodfriend: Patrick,

Thank you for your feedback and insights. Different sections of the Embassy have consulted with offices in the UK Government and representatives of the private sector to better assess the potential impact of the proposed legislation. We very much appreciate hearing how members of the public are viewing the proposals as well. Some have made the point you have made, that the U.S. Treasury stands to lose from these changes if taxes currently paid to the United States are paid to the UK. Others argue that it will be the UK which stands to lose if higher rates of taxation in the UK lead companies to scale back their UK presence. From our perspective in the Consular Section, we want to be sure that Americans in the UK are aware of the proposal and have the opportunity to let both the UK authorities and us know how they perceive the impact, so that we can best address the issues of concern to the American community in the UK. At this point we are still referring people to the HM Treasury website at http://www.hm-treasury.gov.uk/consultations_and_legislation/residence_domicile/consult_residence_domicile.cfm which has instructions on providing feedback concerning this proposal.

01-24-2008 10:33:00

U.S. Embassy London: Regarding HM Govt. proposal to tax foreign residents who live in UK more than seven years: What will be the likely effect for a US military retiree, having UK indefinite residence permit, whose only income is US mil. pension and US Soc. Sec.?

Thanks, Capt. Churchill

M. Andre Goodfriend: Captain, thank you for this. It reflects the type of concern we've heard from others. We've read the draft proposals, but until the draft is finalized, after the UK government has had a chance to take into consideration the concerns of the people the proposed legislation might effect, it's impossible to say what the specific impact will be. When everything is finalized, it may be beneficial to consult with a tax preparation service. We list some tax preparation services on our website at:

http://london.usembassy.gov/cons_new/acs/uk/tax_preparation_services.pdf

01-24-2008 10:39:50

SuZ: This is refreshing! Thank you so much for allowing an easier way to find out what we need to know! I am a US citizen married to a UK National and currently living in England. My husband and I have been discussing moving to be near my family in the States. What do we need to do for him to be able to live and work once we get there? Do UK Nationals need green-cards to work in the States?? Any additional advice would be very appreciated. Thank you again for the help!!

M. Andre Goodfriend: SuZ, I'm glad you find this forum helpful. For your husband to be able to reside in the United States, you, as the American citizen, can file a petition for him to immigrate (form I-130). This is the first step in the immigration process. Since you are

residing in the UK, you can file the petition with the office of U.S. Citizenship and Immigration Services at the Embassy in London. Additional information can be found on the Embassy website at <http://london.usembassy.gov/dhs/uscis/i130filing.html>

01-24-2008 10:43:41

U.S. Embassy London: Comment from the Moderator: Mr. Goodfriend's answer to the third question was cut off. Here is the rest of the response:

While in the past, we asked applicants who had been arrested to provide a Subject Access Statement but occasionally allowed applicants to submit an Enhanced Disclosure form, we became aware that the Enhanced Disclosure did not always provide a full description of the applicant's record. In order for us to be able to evaluate an applicant's arrest record completely, almost a year ago we made the determination that we could no longer make exceptions to use the Enhanced Disclosure as a substitute. We have for a long time made clear on our website that we require the Subject Access Statement.

Without knowing more about your husband's situation, we hope this general information is of use. If you would like to discuss your husband's situation more specifically, please contact 09042-450-100 for instructions on how to inquire specifically from the Visa Section.

01-24-2008 10:46:25

LPG: Hello. I am a US citizen and have lived in the UK for the last 7 years. My husband is a British national who has recently (~8months ago) received a green-card. We were due to move back to US but due to a change in personal circumstances will be staying in UK for a while longer. We do plan to move to US eventually and I want to make sure that my husband does not lose his permanent residency – I would be grateful if you could let me know what steps we need to take in order to preserve it. Additionally, if he does lose his green-card/is deemed to have abandoned US permanent residency, will I be able to sponsor him again for permanent residency and are there any complications with that scenario? Thank you very much for your help.

M. Andre Goodfriend: LPG,

At this point, if I understand correctly, your husband received his "green card" less than one year ago while you were in the United States. So, if he has been outside the United States less than one year, he is still in status as a lawful permanent resident (LPR).

An LPR who wants to be permitted to remain outside the United States for more than one year without losing status should apply for a Reentry Permit. The application for issuance of a Reentry Permit is Form I-131. This form must be filed in the United States prior to departure from the United States. The Form I-131 is available at www.uscis.gov

Reentry Permits are valid for two years from issuance and cannot be extended. Permanent Resident Cards cannot be extended or reissued outside the United States. Failure to return to the United States within the validity of either of these residency documents may jeopardize permanent residence status. For more information on the rights and responsibilities of U.S. Lawful Permanent Residents, see the pamphlet "Welcome to the United States, A Guide for New Immigrants" available on www.uscis.gov [A PDF of this booklet is available at: <http://www.uscis.gov/files/nativedocuments/M-618.pdf>]

Persons who are not admissible as a resident because they have remained outside the United States for more than one year without a valid Reentry Permit, or beyond the validity of a Reentry Permit, may wish to contact the Immigrant Visa Section of the U.S. Embassy to obtain information about "returning residency status" at 5 Upper Grosvenor Street, London W1A 2JB, or online at london.usembassy.gov Otherwise, a new Petition for Alien Relative (Form I-130) must be filed on their behalf in order to obtain a new immigrant visa.

Filing a petition for your husband again will be essentially the same process as when you did it last time.

01-24-2008 10:50:28

OTheis: hello, im an american citizen and have been in the uk for 4 months , i know i must leave in order to come back... i want to start the process of getting a work visa and i do have a fiance that is a british citizen, in order to get my second stamp on my passport, how long must i leave for and do i have to go to the us , i was told only 24 hours and i was told 7 days... please advise me on the correct amount of time thank you.. suzanne

M. Andre Goodfriend: Suzanne, While I'd love to try and answer this question for you, it really pertains to UK visa policy. And, just as I would hope that the UK Embassy in the United States would refer people to the State Department or Department of Homeland Security if they had questions about U.S. visa policy, I'm going to have to refer you to the UK Home Office and UK Visas for questions about UK visa policy. You can check out their website at

<http://www.ukvisas.gov.uk>

01-24-2008 10:52:16

andrea2002: Hello,

My question is regarding divorce. I am a US citizen, and I have been relocated to the UK for a job assignment. I am married to a US citizen and we have a son together. My husband was going to move to the UK with us, but he never did. I have a dual nationality (EU/USA) and I have been living in the UK with our son (who is also a dual national EU?USA) for about a year now. My husband has no contact with me and at this point I do not know where he lives. How can I start a divorce proceeding while I am living in the UK? Is there anything I can do to protect my identity, to avoid him using my SS number for taxes, committing fraud etc.? Thank you very much for your advice, Andrea

M. Andre Goodfriend: Dear Andrea,

Your first step should be to contact a British solicitor (attorney), who can advise you about how to proceed, including what steps you may have to take to locate your husband before the divorce can be finalized. The Embassy maintains a list of British solicitors on its website at

http://london.usembassy.gov/cons_new/acs/uk/uk_solicitors_august_2006.pdf

If you are concerned about identity theft, you can contact one of the big three credit reporting agencies in the United States -- Equifax, Experian, and TransUnion, all of which maintain websites. You can also contact the IRS (www.irs.gov) and Social Security Administration (www.ssa.gov) for information.

01-24-2008 10:56:21

Barbara2: Good afternoon: Yesterday I submitted a question re: having a background check of a gentleman living in the UK. The website indicates that this is for American citizens living in the UK. However, I do hope you will be able to answer my question. If not, how can I have this done? Because of cyber crime and internet predators, I'm concerned about my safety if we do meet here in the U.S. Thank you.

M. Andre Goodfriend: Barabara, due to privacy concerns, you likely would be unable to request a background check as a private individual for another private individual from the police or other government agency. Information maintained by the U.S. Government about U.S. citizens is protected under the Privacy Act. If you have concerns for your safety, you may wish to refer them to the local police.

01-24-2008 10:56:57

U.S. Embassy London: My children are dual nationals. Do they have to choose one nationality over another when they reach age 18?

M. Andre Goodfriend: Thank you for this question, which comes up from time to time. While some countries do require that a person with more than one country of citizenship choose which which to retain when that person turns 18, the U.S. does not require a person to make such a choice. From the U.S. perspective, a person with U.S. citizenship is treated as having only U.S. citizenship, regardless how many other countries may also claim that person as a citizen. If the person was a U.S. citizen as a child, the person will continue to be a U.S. citizen as an adult without any additional action necessary. In fact, we have adults, sometimes in their 60s or 70s, or only recently discover that they were U.S. citizens at birth and continue to be so now. It can be quite moving to help someone at age 60 get their first U.S. passport

based on a citizenship that only recently became aware of. That being said, since U.S. citizens are treated solely as U.S. citizens, with no acknowledgement given to other citizenships, they enter and depart the United States using an American passport. Adult U.S. citizen males, including dual nationals, must register with the Selective Service System on reaching age 18. Registration is a straightforward procedure. Instructions, and a full explanation of Selective Service, can be found at www.sss.gov And, U.S. citizens earning over a minimum amount (which varies depending upon family situation), must file a U.S. income tax return, regardless where they live or what other citizenships they may have. More about tax filing requirements can be found at <http://london.usembassy.gov/irs/irswho.htm>

01-24-2008 10:57:54

U.S. Embassy London: I heard that students now need visas to study in the UK. Last time I came, they let me in after I showed a letter from my school confirming acceptance.

M. Andre Goodfriend: UK immigration rules changed on September 1, 2007. Whereas, in the past, a U.S. citizen coming to the UK to study for less than six months could enter the UK as a short-term visitor for up to six months. Since September 1, students must enter the UK as students with the appropriate entry clearance (i.e. visa) based their school being included on the Department for Innovation, Universities and Skills (DIUS) Register of Education Providers.

Students coming for fewer than six months and who have no intention to work - paid or unpaid (which includes participation in a work placement/internship) - can be given entry clearance as a 'Student Visitor' by the immigration officer at the port of entry.

However, students coming for fewer than six months and who wish to work up to 20 hours per week during term time MUST have prior entry clearance. At present, the Home Office views internships (i.e. British work placements) - whether for course credit or not - as work.

And, students coming for six months or more MUST have prior entry clearance.

For all three categories, the student must prove he/she is studying at an institution included on the Department for Innovation, Universities and Skills (DIUS) Register of Education Providers. Details are available at

<http://www.ukvisas.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1179391608059> or from the student's educational institution.
<http://www.bia.homeoffice.gov.uk/studyingintheuk/>

01-24-2008 11:00:31

U.S. Embassy London: I'm a U.S. citizen, but my husband is a British citizen, and we need to sign closing documents relating to our house in California; do you provide notary services to non-Americans? If so, do both of us need to make individual appointments or can he just come in with me?

M. Andre Goodfriend: The notary services we provide are not based upon the citizenship of the person requesting the service, but rather upon the place where the documents being notarized will be used. A U.S. citizen, needing to have a document notarized for use in the UK, would need to see a UK notary or Commissioner of Oaths; whereas, a non-U.S. citizen living outside the U.S., needing to have a document notarized for use in the U.S., would need to see a U.S. Consul. Therefore, our notary services are available to everyone, regardless of citizenship, as long as the documents we are notarizing are for use in the United States. Each person attending, regardless of country of citizenship, will need an appointment to allow them access to the Embassy.

01-24-2008 11:03:07

Barbara2: Perhaps there was a misunderstanding with my question about a background check. The gentleman is not a US citizen, I am, I live in the US, he lives in the UK. I met him on the internet. Thank you.

01-24-2008 11:07:07

U.S. Embassy London: Tiffany Asks: I have a few questions regarding my status and my son's status. First me, I am a US citizen and married to a Brit. I have been on a Work Visa for 4.75

years and as the 5 year mark approaches I am considering the benefits of becoming a full time resident in the UK. From my perspective, there seems to be only small benefits of doing so, rather than extending my work visa. First, there is the benefit of shorter passport lines at Heathrow. There is also the benefit that if I cease working in the future, I can still remain in the UK. But what are the other benefits I must be missing? Also what is the downside of becoming a UK resident from the US perspective? If I want to move back to the US in the future, does becoming UK resident status impede me doing so? I don't expect you to comment on the Tax situation, as I am working separately on that one but can you confirm that I will still need to file US taxes as a person born in the US or does this depend on my specific work and pay? Also, do you know if I would lose US tax benefits (write offs of interest payments on UK house mortgage for example) by claiming UK residency? Regarding my son, again what are benefits / disadvantages of dual citizenship? Thanks, Tiffany

M. Andre Goodfriend: Tiffany, Thanks. Quite a few questions packed into that paragraph. With regards to dual nationality, the United States treats people who have other countries of citizenship in addition to U.S. citizenship in the same way as we treat those who have only U.S. citizenship. Essentially, we treat you as if you were only a U.S. citizen. If you do decide to obtain UK citizenship, you would still be required to travel in and out of the United States using a valid American passport. The UK may require you to travel in and out of the UK using a valid British passport, so that you would be required to carry both passports while traveling between the two countries.

Deciding whether to take on a second or third citizenship is a very personal decision. For some, being able to call multiple countries "home" is seen as a benefit, while for others the additional responsibilities make it a very complex proposition.

Regarding taxes, U.S. citizens must file tax returns each year reporting their worldwide income if they reach the income threshold for their filing status in that year. These income thresholds can be found on the Embassy's website at <http://london.usembassy.gov/irs/irswho.htm>

As you are married to a non-U.S.-citizen, residing outside the United States, and have a dependent child, you may file Married Filing Jointly; Married Filing Separately (MFS); or Head of Household (HoH). If you were living in the United States, you would not be eligible to file as HoH. You may take your husband's personal exemption if filing MFS, but he must obtain a U.S. tax ID to do so. That can be done through the IRS office at the Embassy by completing a W-7, Individual Taxpayer ID Number (ITIN) application and attaching it to your tax return when filing. See W-7 instructions on the IRS website

If you are not current in filing U.S. tax returns, you must file the last three years' returns. If you find you owe any U.S. tax any of those years, you must file the past six years' returns, i.e., six tax returns in total, and pay any outstanding taxes penalties interest accrued. Those returns and/or payments may be submitted to the IRS office in the Embassy and will be considered submitted and/or paid on that day. Such submissions can be done in person between 9 a.m. and 4 p.m. Tuesday through Thursday, or by post to Box 44 at the U.S. Embassy, London. We are not aware of any U.S. tax benefits related to having more than one nationality.

01-24-2008 11:08:40

KatieByrne: I was hoping someone could help me with my tax return. I am an American citizen living and working in the UK. I am married to A British Citizen and I am not sure how or what files I should submit?

M. Andre Goodfriend: Katie,

As noted when discussing the impact of proposed changes to UK tax law, on the Embassy's website there is a list of "Tax Preparation Services" that may be of assistance to you. You can find the list at:

http://london.usembassy.gov/cons_new/acs/uk/tax_preparation_services.pdf.

You can also call our IRS office for information at: **020-7499-9000 x2488**.

01-24-2008 11:11:41

KatieByrne: As a US Citizen am I able to visit the US Embassy with any questions that I may have on tax returns, Green Card, etc. ?

M. Andre Goodfriend: Yes you are. The office of the IRS at the Embassy has hours for walk-in inquiries. More information about the services they provide can be found at

london.usembassy.gov/irs/index.htm For questions about "green cards" you should contact the office of Citizenship and Immigration Services. Additional information can be found at <http://london.usembassy.gov/dhs/uscis/index.html>

01-24-2008 11:13:07

U.S. Embassy London: Hello.

I am a US citizen residing in London. I need to get a criminal record check from the US for some upcoming work; however, I do not know how this is done. Is there one central agency, or is there a specific form that local agencies in the US might use that I could ask for?

Any assistance would be greatly appreciated. Respectfully, Charlotte

M. Andre Goodfriend: Charlotte, You can request a criminal records check concerning yourself by contacting the FBI via its website, www.fbi.gov. Again, the Privacy Act means that this check should be about yourself and not about someone else.

01-24-2008 11:13:34

U.S. Embassy London: Can I vote in the Presidential election? I was born overseas and I have never resided in the United States.

M. Andre Goodfriend: In general, a U.S. citizen's "legal state of residence" for voting purposes is the state or territory where the citizen last resided immediately prior to departure from the United States. This right extends to overseas citizens even though they may not have property or other ties in their last state or territory of residence and their intent to return to that state or territory may be uncertain. And, important in your particular case, family members of citizens residing overseas, who are U.S. citizens and who have never resided in the U.S. may often claim one of their U.S. citizen parent's legal state or territory of residence as their own -- if allowed by the state. Each state has its own regulations concerning voting and voter registration. Information about the voting procedures for each state can be found online at: <http://fvap.gov/pubs/vag.html#ch3>

When completing the Voting Residence section of the Federal Post Card Application (which is available online at: <http://fvap.gov/pubs/onlinefpca.pdf>), be sure to enter the entire mailing address of your family's last residence, including street or rural route and number. The address determines your proper district, ward, precinct or parish

01-24-2008 11:13:50

U.S. Embassy London: How do I apply for an absentee ballot?

M. Andre Goodfriend: You should complete a Federal Post Card Application form (FPCA) in accordance with the instructions for the state in which you either currently or last resided. The FPCA and the state instructions are available on <http://fvap.gov/pubs/onlinefpca.pdf>

01-24-2008 11:21:18

U.S. Embassy London: US citizens overseas are required to send the Treasury every year, all the vital information which someone would need to steal our identity and access our bank accounts. I have some questions about the security of my information and wonder to whom I can address my concerns. Suzanna

M. Andre Goodfriend: Suzanna, the US Government tries to safeguard the security of all personal information provided to it. As noted earlier, the Privacy Act requires that we treat information about American citizens as confidential. Many people are concerned about identity theft and, in particular, whether someone else knowing one's Social Security number makes them vulnerable. The Social Security Administration has published a leaflet about identity theft which you might find helpful. It's available online at:

<http://www.ssa.gov/pubs/10064.html>

01-24-2008 11:25:00

Chat Participant: My Mother died and left me some Mutual Funds in her Will which I held for 2 months and have now sold. Do these need to be reported to IRS on my Tax Forms? Or only on the UK Tax forms which I submit annually? Are the relevant IRS forms automatically sent to me every year or must I request them?

Thanks Risa, Surrey

M. Andre Goodfriend: Risa,

Generally, you should include on your U.S. tax return the same items that you would include if you were living in the U.S. -- even if you are also reporting them on your UK tax forms. It may be that you will not need to pay income tax, but the reporting requirement is still there. Some information about reporting Mutual Fund profits can be found at <http://www.irs.gov/faqs/faq-kw123.html>. For other more specific questions, you may wish to consult with our IRS office or with a private tax consultant.

01-24-2008 11:28:35

M. Andre Goodfriend: Following up on a comment from Barbara that the person she would like to have investigated is a UK citizen rather than a U.S. citizen... While the U.S. Privacy Act would not apply in this case, it's unlikely that the UK government would be able to release information because of UK data protection laws. Again, you may wish to make your concerns known to the police, or you may wish to hire a private investigator or a private "vetting" service.

01-24-2008 11:29:07

U.S. Embassy London: Friends told me that they have to come with their son to apply for his new U.S. passport until he is 18! That's outrageous. Is it true??

M. Andre Goodfriend: It's not true, but it's not far off. And, it's not really outrageous.

Currently (but only for one more week), under U.S. law, both parents must be present at the time of application to sign the passport application of all minors under age 14 -- not 18. The minor must also be present. If one parent cannot be present at the time of passport application, the applying parent must bring either a notarized "statement of consent" from the absent parent, a court order granting the applying parent sole custody, or a death certificate for the absent parent. This law was enacted to prevent international parental child abduction and has been in place since 2002.

As of February 1, 2008, the age up to which two-parent consent is required will rise from 14 to 16. All applicants under the age of 16 will require two-parent consent, as described above.

More detail can be found on our website at

http://www.usembassy.org.uk/cons_new/acs/passports/renindex.html

01-24-2008 11:31:27

Barbara2: Thank you for the info. I will contact a PI to investigate this person.

01-24-2008 11:34:45

M. Andre Goodfriend: Well, we've gone 90 minutes on a very active session! We appreciate the opportunity to have the type of lively, interactive forum with the American public in the UK. We'll look forward to the next "Talk to the Consul" chat in about two months time. We also hope that those interested in issues of concern to the American community in the UK subscribe to our monthly newsletter. The date of the next web chat will be announced in our newsletter (as well as posted online). To subscribe, send an email to SCSlondon@state.gov.

Again, thank you for your participation.

Andre Goodfriend First Secretary and Consul Chief, American Citizen Services U.S. Embassy, London
